

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 13-CR-112

NICHOLAS HERBURGER,

Defendant.

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**UNITED STATES' MOTION TO DISMISS PROPERTY  
FROM FORFEITURE NOTICE OF THE INDICTMENT**

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The United States of America, by its attorneys, James L. Santelle, United States Attorney for the Eastern District of Wisconsin, and Bridget J. Domaszek, Assistant United States Attorney, hereby moves, pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, to dismiss without prejudice the residence located at 2852 Fox Lake Circle number 22, Waukesha, Wisconsin listed in the Indictment filed on June 11, 2013.

I have been informed that this property has insufficient equity; therefore, it is no longer necessary to pursue judicial forfeiture of this item.

Dated at Milwaukee, Wisconsin, this 4<sup>th</sup> day of November, 2013.

Respectfully submitted,

JAMES L. SANTELLE  
United States Attorney

By: s/BRIDGET DOMASZEK  
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